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Attorneys for Defendant and Third Party Plaintiff
 CITY OF EUREKA

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

KFD ENTERPRISES, INC., a California
 Corporation dba Norman's Dry Cleaner,

 Plaintiff,

 v.

 CITY OF EUREKA,

 Defendant.

 CITY OF EUREKA,

 Defendant and Third-Party Plaintiff,

 v.

 KFD ENTERPRISES, INC., a California
 Corporation dba Norman's Dry Cleaner, et al.

CASE NO. CV-08-4571 MMC

 STIPULATION ~~AND ORDER~~ TO
 SHORTEN TIME FOR HEARING ON
 EXTENDING DEADLINE FOR
 NAMING KENNETH DAER AS AN
 INDIVIDUAL DEFENDANT; ORDER
~~[Civil L.R. 7-12]~~ DENYING STIPULATION

 DATE: March 12, 2010
 TIME: 9:00 a.m.
 DEPT: Honorable Maxine M. Chesney
 Courtroom 7, 19th Floor

Pursuant to Civil L.R. 7-12, defendant and third-party plaintiff City of Eureka and
 plaintiff KFD Enterprises, Inc. stipulate and request judicial action as follows:

1. The City's motion to extend the deadline of March 12, 2010 to name Kenneth
 Daer as an individual, third-party defendant will now be heard on shortened notice; the existing



1 hearing date of April 2, 2010 will be changed to March 12, 2010 at 9 a.m.

2 2. KFD will file its opposition by March 9, 2010 at 5 p.m.

3 3. The City waives its right to a written reply but reserves its right to raise reply
4 arguments during the oral hearing on March 12, 2010.

5
6 Date: February 23, 2010

DAVIDOVITZ & BENNETT LLP

7
8 /s/

9 MORIS DAVIDOVITZ
10 CHARLES H. BOLCOM
11 Attorneys for Defendant and
12 Third-Party Plaintiff CITY OF EUREKA

(The filer attests that counsel for KFD Enterprises Inc., Jan Greben, has been advised of these terms and agrees to them)

13 Date: February 23, 2010

GREBEN & ASSOCIATES

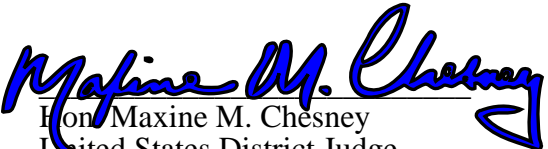
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15 /s/

16 JAN GREBEN
17 Attorney for Plaintiff KFD Enterprises, Inc.

18 ~~PURSUANT TO STIPULATION, IT IS SO ORDERED:~~

19 The stipulation is hereby DENIED, and the deadline for naming Kenneth Daer as an
20 individual defendant is hereby EXTENDED to April 5, 2010.

21 Date: February 26, 2010

22 
23 Hon. Maxine M. Chesney
24 United States District Judge
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